

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

In Re:
Gildharee Persaud
Bhagwatie Persaud

Case No. 6:14-bk-00034-CCJ
Chapter 13

Debtors.

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MOTION TO MODIFY ORDER CONFIRMING CHAPTER 13 PLAN

NOTICE OF OPPORTUNITY TO OBJECT AND REQUEST FOR HEARING

PURSUANT TO LOCAL RULE 2002-04, THE COURT WILL CONSIDER THE RELIEF REQUESTED IN THIS PAPER WITHOUT FURTHER NOTICE OR HEARING UNLESS A PARTY IN INTEREST FILES AN OBJECTION WITHIN 21 DAYS FROM THE DATE SET FORTH ON THE ATTACHED PROOF OF SERVICE, PLUS AN ADDITIONAL THREE DAYS FOR SERVICE IF ANY PARTY WAS SERVED BY U.S. MAIL.

IF YOU OBJECT TO THE RELIEF REQUESTED IN THIS PAPER, YOU MUST FILE A RESPONSE WITH THE CLERK OF THE COURT AT THE UNITED BANKRUPTCY COURT, GEORGE C. YOUNG FEDERAL COURTHOUSE, 400 W. WASHINGTON ST., STE 5100, ORLANDO, FL 32801, AND SERVE A COPY ON THE MOVANTS' ATTORNEY, JOEL L. GROSS, ESQ. 655 WEST HIGHWAY 50, SUITE 101, CLERMONT, FLORIDA 34711. IF YOU FILE AND SERVE A RESPONSE WITHIN THE TIME PERMITTED, THE COURT WILL EITHER SCHEDULE A HEARING AND NOTIFY YOU OF A HEARING, OR CONSIDER THE RESPONSE AND GRANT OR DENY THE RELIEF REQUESTED WITHOUT A HEARING.

IF YOU DO NOT FILE A RESPONSE WITHIN THE TIME PERMITTED, THE COURT WILL CONSIDER THAT YOU DO NOT OPPOSE THE RELIEF REQUESTED IN THE PAPER, WILL PROCEED TO CONSIDER THE PAPER WITHOUT FURTHER NOTICE OR HEARING, AND MAY GRANT THE RELIEF REQUESTED.

COME NOW the Debtors, Gildharee Persaud and Bhagwatie Persaud, by and through the undersigned attorney, and file this Motion to Modify Order Confirming Chapter 13 Plan, and in support of thereof states the following:

1. The Order Confirming Chapter 13 Plan was entered in this case on November 10, 2014.
2. The Debtors are requesting to make a lump sum payment in month 37 (February 2017) for Claim No. 6 and extend remaining payoff through the remainder of the Chapter 13 Plan.
3. The other properties have been successfully paid off previously in the Plan, and this is the remaining property to be paid that they need additional time to payoff.

4. No creditors will be prejudiced by this modification.
5. By this Motion, the undersigned counsel for the Debtors seeks attorney's fees for the modification work in the amount of seven hundred and fifty dollars (\$750.00) which shall be paid through the Debtors' modified plan.
6. The Debtors' general unsecured creditors are receiving no less under this proposal than they were to receive under the Confirmed Plan.
7. The Debtors propose that all of the terms and conditions of the Order Confirming Chapter 13 Plan shall remain the same.

WHEREFORE, the Debtors respectfully request this Honorable Court grant this Motion to Modify Order Confirming Chapter 13 Plan, and pray the court will:

- a. Grant this motion and enter an Order modifying the Order Confirming Chapter 13 Plan as proposed herein;
- b. Grant such other and further relief as the Court deems appropriate.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Modify Order Confirming Chapter 13 Plan has been served electronically, and when appropriate by regular United States Mail, to the all creditors listed on the Clerk's mailing list dated this 9th of January, 2017.

/s/ Joel L. Gross, Esq.
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